

Senate Study Bill 1001 - Introduced

SENATE RESOLUTION NO. _____

BY (PROPOSED COMMITTEE ON ETHICS RESOLUTION BY
CHAIRPERSON KIBBIE)

1 A Resolution relating to the Senate Rules Governing
2 Lobbyists and their interactions with the Senate
3 and members of the Senate during the Eighty-fourth
4 General Assembly.

5 BE IT RESOLVED BY THE SENATE, That the Senate Rules
6 Governing Lobbyists for the ~~Eighty-third~~ Eighty-fourth
7 General Assembly shall be as follows:

8 SENATE RULES GOVERNING LOBBYISTS

9 1. DEFINITIONS. As used in these rules, "client",
10 "gift", "honoraria" or "honorarium", "immediate family
11 member", and "lobbyist" have the meaning provided
12 in chapter 68B. As used in these rules, the term
13 "political action committee" means a committee, but not
14 a candidate's committee, which accepts contributions,
15 makes expenditures, or incurs indebtedness in the
16 aggregate of more than seven hundred fifty dollars
17 in any one calendar year to expressly advocate the
18 nomination, election, or defeat of a candidate for
19 public office or to expressly advocate the passage or
20 defeat of a ballot issue or influencing legislative
21 action, or an association, lodge, society, cooperative,
22 union, fraternity, sorority, educational institution,
23 civic organization, labor organization, religious
24 organization, or professional or other organization
25 which makes contributions in the aggregate of more than
26 seven hundred fifty dollars in any one calendar year
27 to expressly advocate the nomination, election, or

1 defeat of a candidate for public office or to expressly
2 advocate the passage or defeat of a ballot issue or
3 influencing legislative action.

4 2. APPLICABILITY. These rules are only applicable
5 to lobbying activities involving the Iowa general
6 assembly.

7 3. REGISTRATION REQUIRED. All lobbyists shall,
8 on or before the day their lobbying activity begins,
9 register in the manner provided under section 68B.36
10 by filing a completed lobbyist's registration form
11 with the person or persons designated by the chief
12 clerk of the house and the secretary of the senate to
13 receive lobbyist registration statements. Lobbyist
14 registration forms shall be available in the office
15 of the chief clerk of the house and the secretary of
16 the senate. In addition, the lobbyist shall file with
17 the secretary of the senate a statement of the general
18 subjects of legislation in which the lobbyist is or may
19 be interested, the numbers of the bills and resolutions
20 and the bill number of study bills (if known) which
21 will be lobbied, whether the lobbyist intends to lobby
22 for or against each bill, resolution, or study bill (if
23 known), and on whose behalf the lobbyist is lobbying
24 the bill, resolution, or study bill.

25 Any change in or addition to the foregoing
26 information shall be registered with the person or
27 persons designated by the chief clerk of the house
28 and the secretary of the senate to receive lobbyist
29 registration statements within ten days after the
30 change or addition is known to the lobbyist.

1 Registration expires upon the commencement of
2 the next regular session of the general assembly,
3 except that the secretary of the senate may adopt and
4 implement a reasonable preregistration procedure in
5 advance of each regular session during which persons
6 may register for that session and the following
7 legislative interim.

8 4. CANCELLATION OF REGISTRATION. If a lobbyist's
9 service on behalf of a particular employer, client, or
10 cause is concluded prior to the end of the calendar
11 year, the lobbyist may cancel the registration on
12 appropriate forms supplied by the secretary of the
13 senate. Upon cancellation of registration, a lobbyist
14 is prohibited from engaging in any lobbying activity on
15 behalf of that particular employer, client, or cause
16 until reregistering and complying with these rules. A
17 lobbyist's registration is valid for only one session
18 of a general assembly.

19 5. AMENDMENT OF REGISTRATION. If a registered
20 lobbyist represents more than one employer, client,
21 or cause and the lobbyist's services are concluded
22 on behalf of a particular employer, client, or cause
23 after the lobbyist registers but before the first day
24 of the next legislative session, the lobbyist shall
25 file an amendment to the lobbyist's registration
26 indicating which employer, client, or cause is no
27 longer represented by the lobbyist and the date upon
28 which the representation concluded.

29 If a lobbyist is retained by one or more additional
30 employers, clients, or causes after the lobbyist

1 registers but before the first day of the next
2 legislative session, the lobbyist shall file an
3 amendment to the lobbyist's registration indicating the
4 employer, client, or cause to be added and the date
5 upon which the representation begins.

6 Amendments to a lobbyist's registration regarding
7 changes which occur during the time that the general
8 assembly is in session shall be filed within one
9 working day after the date upon which the change in the
10 lobbyist's representation becomes effective.

11 6. PUBLIC ACCESS. All information filed by a
12 lobbyist or a client of a lobbyist under chapter 68B
13 of the Code is a public record and open to public
14 inspection at any reasonable time.

15 7. LOBBYIST AND CLIENT REPORTING. Each lobbyist
16 ~~registered with the senate and each~~ lobbyist's client
17 shall file the reports required under ~~sections 68B.37~~
18 ~~and section~~ 68B.38 with the secretary of the senate.

19 For purposes of this rule, and the ~~reports~~ report
20 required under ~~sections 68B.37 and section~~ 68B.38,
21 ~~"services enumerated under section 68B.2, subsection~~
22 ~~13, paragraph "a" and "lobbying purposes"~~ include, but
23 are not limited to, the following:

24 a. Time spent by the lobbyist at the state capitol
25 building commencing with the first day of a legislative
26 session and ending with the day of final adjournment of
27 each legislative session as indicated by the journals
28 of the house and senate.

29 b. Time spent by the lobbyist attending meetings or
30 hearings which results in the lobbyist communicating

1 with members of the general assembly or legislative
2 employees about current or proposed legislation.

3 c. Time spent by the lobbyist researching and
4 drafting proposed legislation with the intent to submit
5 the legislation to a member of the general assembly or
6 a legislative employee.

7 d. Time spent by the lobbyist actually
8 communicating with members of the general assembly
9 and legislative employees about current or proposed
10 legislation.

11 ~~7A.~~ 8. ELECTRONIC FILING. A lobbyist or client
12 of a lobbyist required to file information with the
13 secretary of the senate pursuant to rules 3, 4, 5, and
14 7 is encouraged to make such filings in an electronic
15 format as directed by the secretary of the senate. The
16 ~~committee on ethics may direct the secretary of the~~
17 ~~senate to mandate electronic filing requirements for~~
18 ~~lobbyists and clients of lobbyists beginning for the~~
19 ~~2010 legislative session.~~

20 ~~8.~~ 9. GOVERNMENT OFFICIALS. All federal, state,
21 and local officials or employees representing their
22 departments, commissions, boards, or agencies shall
23 present to the secretary of the senate a letter of
24 authorization from their department or agency heads
25 prior to the commencement of their lobbying. The
26 lobbyist registration statement of these officials
27 and employees shall not be deemed complete until the
28 letter of authorization is attached. Federal, state,
29 and local officials who wish to lobby in opposition to
30 their departments, commissions, boards, or agencies

1 must indicate such on their lobbyist registration
2 statements.

3 ~~9.~~ 10. CHARGE ACCOUNTS AND LOANS. Lobbyists and
4 the organizations they represent shall not allow any
5 senators to charge any amounts or items to any charge
6 account to be paid for by those lobbyists or by the
7 organizations they represent. A lobbyist shall not
8 make a loan to a senator unless the loan is made in the
9 ordinary course of business, the lobbyist is in the
10 business of making loans, and the terms and conditions
11 of the loan are the same or substantially similar to
12 the finance charges and loan terms that are available
13 to members of the general public.

14 ~~10.~~ 11. OFFERS OF ECONOMIC OPPORTUNITY. A
15 lobbyist, an employer of a lobbyist, or a political
16 action committee shall not offer economic or investment
17 opportunity or promise of employment to any senator
18 with intent to influence the senator's conduct in the
19 performance of official duties.

20 A lobbyist shall not take action intended to
21 negatively affect the economic interests of a senator.

22 For purposes of this rule, supporting or opposing a
23 candidate for office or supporting or opposing a bill,
24 amendment, or resolution shall not be considered to
25 be action intended to negatively affect the economic
26 interests of a senator.

27 ~~11.~~ 12. MEMBERSHIP CONTRIBUTIONS. A lobbyist, or
28 employer of a lobbyist, shall not pay for membership in
29 or contributions to clubs or organizations on behalf
30 of a senator.

1 ~~12.~~ 13. ACCESS TO SENATE FLOOR. Lobbyists shall
2 not be permitted on the floor of the senate while the
3 senate is in session. Elected state officials, except
4 the governor, lieutenant governor, and the members of
5 the house of representatives, shall not be permitted on
6 the floor of the senate while the senate is in session
7 to encourage the passage, defeat, or modification of
8 legislation.

9 ~~13.~~ 14. EFFECTIVE PERIOD. These rules governing
10 lobbyists shall be in effect throughout the calendar
11 year, whether or not the general assembly is in
12 session.

13 ~~14.~~ 15. GIFTS. A lobbyist or the client of a
14 lobbyist shall not, directly or indirectly, offer or
15 make a gift or a series of gifts to a senator, except
16 as otherwise provided in section 68B.22.

17 ~~15.~~ 16. HONORARIA. A lobbyist or client of a
18 lobbyist shall not give an honorarium to a member or
19 employee of the senate, except as otherwise provided in
20 section 68B.23.

21 ~~16.~~ 17. COMPLAINTS. Rules 15 through ~~23~~ 25 of
22 the senate code of ethics apply to complaints and
23 procedures regarding violations of these rules.